

Remarks

This Request for Continued Examination (RCE) is provided in response to a final Office Action mailed May 6, 2005. The final Office Action rejected claims 1-12, 15, 16, and 19-32 under 35 U.S.C. §102(b) as being anticipated over prior art, and rejected claims 13, 14, and 17, 18 under 35 U.S.C. §103(a) as being unpatentable over prior art.

The applicant has provided amendments to independent claims 1, 29, 30, and 31. Support for these amendments may be found in FIG. 2(a) and on page 7, lines 14-16 of the specification.

No new matter has been introduced by the amendments to the claims.

INDEPENDENT CLAIM 1

Kawafuji '536 fails to show the claim elements "*determining, in accordance with the monitored identifying information, whether any preferred routing information exists for the flow; and if preferred routing information exists, sending updated routing tables incorporating the updated routing information to the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks,*" of Applicant's independent claim 1.

Kawafuji '536 shows "If the packet satisfies the predetermined conditions, and DA_{IP} has already been registered," (col. 8, lines 32 and 33), which the Applicant submits substantially meets the second element of Applicant's claim 1, (*i.e., determining, in accordance with the monitored identifying information, whether any preferred routing information exists for the flow*). However, Kawafuji '536 goes on to show "the router 20 causes the routing section 30 to update the TTL value and check sum of the IP header portion of the packet, and reads out, from the memory table 23, the MAC address (R.sub.21) and the interface number (2) which correspond to DA_{IP} [192.168.21.5] determined by the registration determination means 29 as an already registered address." (col. 8 lines 33-39). Kawafuji '536 fails to show the third element of Applicant's claim 1, (*and if preferred routing information exists, sending updated routing tables incorporating the updated routing information to the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks.*) In other words Kawafuji

'536 shows that the routing section updates information fields of the packet, but does not update the routing tables.

Kawafuji '536 shows updating routing table 11 and the ARP table 12, as needed, and registers DA_{IP} in the memory table 23, if it is determined in step S12 that the received packet does not satisfy the predetermined conditions. (col. 8, lines 45-55). That is, Kawafuji '536 shows that updates are made to the routing tables, only when the preferred routing information does not exist. The Applicant's claim 1, specifically includes the limitation of updating the routing tables, only when the preferred routing information *does* exist.

Accordingly, Kawafuji '536 fails to provide a basis for a prima facie case of anticipation by Kawafuji '536 of the Applicant's invention as claimed by claim 1. Therefore, the Applicant respectfully requests allowance of claim 1, as well as the allowance of claims 2-28 depending therefrom.

Furthermore, because Kawafuji '536 fails, either alone or in combination with information presented by the Applicant in the background section of the present application, to teach or suggest the claim elements "*determining, in accordance with the monitored identifying information, whether any preferred routing information exists for the flow; and if preferred routing information exists, sending updated routing tables incorporating the updated routing information to the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks,*" of Applicant's independent claim 1, a basis for an obviousness rejection of claims 17 and 18 under 35 U.S.C. §103(a) is absent.

Additionally, because Kawafuji '536 in view of United States Patent No. 6,147,993 issued to Ray Kloth et al., November 14, 2000 (Kloth '993) fails to teach or suggest the claim elements "*determining, in accordance with the monitored identifying information, whether any preferred routing information exists for the flow; and if preferred routing information exists, sending updated routing tables incorporating the updated routing information to the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks,*" of Applicant's independent claim 1, a basis for an obviousness rejection of claims 13 and 14 under 35 U.S.C. §103(a) is absent.

INDEPENDENT CLAIM 29

The Applicant notes that the claim limitations for independent claim 29 calls for an *“apparatus configured to determine, in accordance with the monitored identifying information, whether any preferred routing information exists for the flow; and apparatus configured to, if preferred routing information exists, send updated routing tables incorporating the updated routing information to the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks.”* That is an apparatus that updates the routing tables for the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks, but only when the preferred routing information does exist. Whereas, Kawafuji '536 shows an apparatus that updates the routing tables, only when the preferred routing information does not exist, and is silent regarding updates to the routing tables for the router connected to the edge IP network and to all routers connecting the edge IP network to other IP networks. Therefore, Kawafuji '536 fails to identically show every element of the claimed invention.

Accordingly, for substantially the same reasons given hereinabove for the allowance of claim 1, the Applicant respectfully requests the allowance of claim 29.

INDEPENDENT CLAIMS 30 AND 31

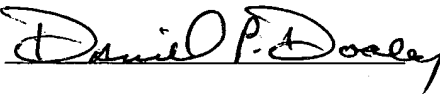
Because independent claims 30 and 31 have limitations similar to the limitations of independent claims 1 and 29, and for substantially the same reasons given hereinabove for the allowance of claims 1 and 29, the Applicant respectfully requests the allowance of independent claims 30 and 31, as well as allowance of claim 32 depending from independent claim 31.

Conclusion

The Applicant respectfully requests allowance of all of the claims pending in the application. This RCE is intended to be a complete response to the final Office Action mailed May 6, 2005.

Should any questions arise concerning this response, the Examiner is invited to contact the below listed Attorneys.

Respectfully submitted,

By: 

Daniel P. Dooley
USPTO Reg. No. 46,369
R. Alan Weeks
USPTO Reg. No.: 36,050
321 South Boston Ave., Suite 800
Tulsa, OK 74103-3318
Telephone No.: (918) 599-0621
Facsimile No.: (918) 583-9659
Customer No.: 22206